GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Andhra Pradesh Shops and Establishment Act, 1988 – Grant of exemptions to M/s Vaibhav Empire Pvt., Ltd., Visakhapatnam from Sections 7,12 & 31 of the Andhra Pradesh Shops & Establishment Act, 1988 to keep open the shop in all 365 days of the year – Orders-Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (LAB.I) DEPARTMENT

G.O.RT.No. 178 Dated: 10-03-2016

Read the following:-

1) Govt. Memo No.42/Lab.III/A2/2011, dated: 21.01.2011.
2) G.O.Rt.No.533, LET&F Dept, LET&F Dept dt:20.06.2013.
3) From the COL, AP, Hyderabad Lr.No. M1/2494/15,dt:04.07.2015.

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ORDER:

In the G.O. 2nd read above, the Government have issued orders for exempting the M/s Vaibhav Empire Pvt., Ltd., Visakhapatnam from the provisions under Sections 7 (1), 12(1) and 31(1) of the Andhra Pradesh Shops and Establishments Act, 1988, for a period of (2) two years, subject to filed verification and confirmation within (3) months and also subject to the conditions stipulated in the notification for a period of 2 years and lapsed.

2. In the reference 3rd read above, the Commissioner of Labour, A.P. Hyderabad while forwarding the representation of M/s Vaibhav Empire Pvt., Ltd., Visakhapatnam along with information in the prescribed formats, has requested the Government to take necessary action on proposal for grant of exemption to their six (06) shops located as shown in the annexure from the provisions of Sections 7(1), 12(1) & 31(1) of A.P. Shops & Establishment Act, 1988 for opening their shops for 365 days in a year.

3. After careful examination, the Government hereby accepted the proposal of M/s Vaibhav Empire Pvt., Ltd., Visakhapatnam for grant of exemption from the provisions of Sections 7(1), 12(1) & 31(1) of A.P. Shops & Establishment Act, 1988 for opening their shops for 365 days in a year.

4. The following notification shall be published in the next issue of Extraordinary Andhra Pradesh Gazette:-

NOTIFICATION

In exercise of the powers conferred under sub-section (4) of Section 73 of the Andhra Pradesh Shops & Establishments Act, 1988 (Andhra Pradesh Act 20 of 1988), the Governor of Andhra Pradesh hereby grant exemption to six (06) shops of M/s Vaibhav Empire Pvt., Ltd., Visakhapatnam as shown in the Annexure from the provisions of Sections 7(1), 12(1) & 31(1) of Andhra Pradesh Shops & Establishments Act, 1988 for a period of two (2) years, subject to field verification and confirmation within (3) months and also subject to the following conditions:-

1. The daily working hours of the employee shall be 8 hours and weekly 48 hours. Record of Over Time will be maintained in respect of the employees who work beyond normal working hours, in the Wages Register, separately.
2. Every employee will be allowed a Weekly Holiday as per the list exhibited (form 24) at the main entrance of the shop.
3. If the employees found working on any Holiday or after normal duty hours without proper indent for Over Time, the exemption granted will be liable for cancellation.
4. Working Hours of the Shop shall be between 9.00 A.M to 11 P.M.

P.T.O.

5. In case of Women employees who are required to work beyond 8.30 PM transport arrangements will be provided to the women employees. A notice to this effect in Telugu and English will be exhibited at the main entrance of the shop.
6. All employees will be provided with Appointment Letters and a copy of the same will be furnished to the jurisdiction inspector and acknowledgedment will be preserved in the shop for inspection at any time.
7. Visit Book will be maintained exhibiting a copy of the exemption for verification by the Inspector for compliance with the conditions on exemption.
8. The exemption will be valid for 2 years only and subject to satisfactory compliance with the conditions of exemption and also compliance with the welfare provisions under various Labour Laws, renewal will be considered.
9. The exemption is applicable for only the shop which applied for the exemption but not to any other shop which has taken sub-lease within the shop. The lessees also may be directed to obtain exemption, if they so choose.
10. If majority of the workers oppose the exemption on the ground of violation of labour laws and consequent exploitation, the exemption will be liable for cancellation.
11. The wages for the employees will be credited to their Savings Bank Account.
12. EPF & ESI deductions shall be implemented in respect of the eligible employees.
13. The Employer shall cooperate in implementing the "Duties of Inspection" under Rule 28 of the A.P. Shops and Establishments Rules, 1990 especially with regard to the implementation of the conditions and also the provisions of Other Labour Laws for the workers employed in their Shops.
14. The Exemption will be cancelled before the sanctioned period, if any statutory violation is detected and the Employer of the Shop is held guilty.
15. The exemption will be for a period of two years from the Date of notification unless revoked.
16. Renewal of the exemption for two years will be subject to satisfactory compliance with the above conditions.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationery and Stores Purchase, Hyderabad- with a request to publish the notification in Andhra Pradesh Gazette and furnish 10 copies to Government and 25 copies to Commissioner of Labour, Hyderabad.
The Commissioner of Labour, Andhra Pradesh, Hyderabad (with a request to take necessary action accordingly)

Copy to:

The management of M/s VAIBHAV EMPIRES PVT., LTD D.No. 340-1-1, Temple Street, Kakinada, -01,East Godavari,(with a request to obtain the renewal from the concerned within time).
The OSD to M (LET&F).
The P.S. to Prl. Secretary, LET & F Department.
Sf/ Sc

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE tO GORt.No. 178, Dated:10.03.2016

1 VAIBHAV EMPIRES PVT., LTD (Vaibhav Jewellers)V-SQUARE, Opp: TSR Complex, Dwarakanagar, Visakapatnam.

2 VAIBHAV EMPIRES PVT., LTD (Vaibhav Jewellers)A-1, Pavan Palace, OPP.TSR Complex, Dwarakanagar, Visakapatnam.

3 VAIBHAV EMPIRES PVT., LTD (Vaibhav Jewellers), 10-7-110/1, Opp: Central Bank, Cinema Hall Junction, Main Road, Gajuwaka-26.

4 VAIBHAV EMPIRES PVT., LTD (Vaibhav Jewellers), D.No. 34-1-1,Opp: Vijaya Bank, Pulavarthivari Street, Temple Street, Kakinada, East Godavari District.

5 MANOJ VAIBHAV EMPIRES PVT., LTD (Vaibhav Jewellers), D.No. 7A-9-21/1,Main Bazar, Powerpet, Eluru, West Godavari District.

6 VAIBHAV EMPIRES PVT., LTD (Vaibhav Jewellers), D.No25-1, Main Road, Pravathipuram, Vizianagaram.

//FORWARDED :: BY ORDER//

SECTION OFFICER